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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,461	04/21/2004	Hiroshi Kida	2257-0247PUS1	4010
2292	7590	08/09/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			KOVAL, MELISSA J	
PO BOX 747			ART UNIT	
FALLS CHURCH, VA 22040-0747			PAPER NUMBER	
			2851	

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/828,461

Applicant(s)

KIDA ET AL.

Examiner

Melissa J. Koval

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 3,4,8-12,14 and 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-7 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/04 and 4/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Species I, Figures 1 through 9, drawn to claims 1, 2, 5 through 7 and 13 in the reply filed on July 25, 2005 is acknowledged.

Claims 3, 4, 8 through 12, 14 and 15 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on July 25, 2005.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5-7 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Takizawa et al. U.S. Patent 6,419,364 B2.

Claim 1 sets forth: "A projection display apparatus configured to modulate light radiated from a lamp to project the modulated light, comprising (See Figures 1 and 2, for example.):

a cooling element for cooling said lamp (See column 5, lines 40 through 58.);

a time management section for managing time elapsed since turn-off of power

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supply to said lamp (See column 11, lines 32 through 67, and column 12, lines 1 through 61.); and

a controller for controlling restart of said lamp after turn-off of said lamp, said controller turning on said lamp after causing said cooling element to cool said lamp when the temperature of said lamp is higher than a predetermined temperature, based on an output from said time management section, said controller turning on said lamp without causing said cooling element to cool said lamp prior to turn-on of said lamp when the temperature of said lamp is lower than said predetermined temperature, based on the output from said time management section.” The control of fans with respect to the projection system is described in detail in the “Control of Fans” section found in column 9, lines 53 through 67, columns 10 through 12 in their entirety and column 13, lines 1 through 22.

Claim 2 sets forth: “The projection display apparatus according to claim 1, wherein said controller is configured to store information about whether the preceding turn-off of said lamp is normal or abnormal, and

for control of the restart of said lamp after the turn-off of said lamp, said controller immediately turns on said lamp when the preceding turn-off of said lamp is normal, and performs a judgment operation as to whether the temperature of said lamp is higher or lower than said predetermined temperature, based on the output from said time management section when the preceding turn-off of said lamp is abnormal.”

The examiner determines that the terms “normal” and “abnormal” are met by the ‘364 B2 reference in terms of the relationship between preset temperatures, sensors

and comparison values as described in column 10, lines 12 through 67, and column 11, lines 1 through 30. See Figures 8 through 13, for example.

With respect to claim 5, see Figure 9.

With respect to claim 6, see Figure 13.

With respect to claims 7 and 13, again refer to the "Control of Fans" section referred to in the rejection above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Suzuki U.S. patent 6,776,489 B2 teaches a color separation/combination optical system, image display optical system, and projector type image display apparatus.

Kimura U.S. patent 6,860,609 B2 teaches a rear projection display.

Ueyama et al. U.S. patent 6,467,911 B1 teaches a projector and lamp unit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melissa J. Koval whose telephone number is (571) 272-2121. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJK

A handwritten signature in black ink, appearing to read "Melisa Jan Koval". The signature is written in a cursive, stylized font with a large, looped initial "M".